

**Town of Mashpee  
Annual Town Meeting  
Mashpee High School  
Monday, May 6, 2013**

**Town Meeting convened at 7:24  
Voter Present 148  
Quorum 0**

Barnstable, ss:

Greetings

To the Constables of the Town,

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and summon the inhabitants of the Town of Mashpee who are qualified to vote in the elections to meet at the Mashpee High School on Monday, the 6<sup>th</sup> day of May 2013 at 7:00 p.m. for the following purposes:

To act on the articles contained in the following Warrant.

**Article 1**

To see if the Town will vote to accept the reports of the Town officers, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** The 2012 Annual Town Report in which the reports of Town officers are presented is available at the Town Meeting and at the Town Hall.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**Motion made by Selectman John Cahalane.**

**Motion:** I move the Town vote to accept the reports of the Town officers.

**Motion passes unanimously at 7:25 PM.**

**Article 2**

To see if the Town will vote to fix the salaries of the following elected officers as provided in Chapter 41, § 108, of the Massachusetts General Laws for the Period of July 1, 2013 to June 30, 2014, and further to see if the Town will vote to appropriate and transfer a sum of money to defray the Town's expenses for the ensuing fiscal year according to the following line item budget with the maximum amount to be appropriated as shown in the column entitled "Dept. FY 2014 Request" (See Omnibus Budget), or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article seeks to fund the annual operating budgets for the various Town departments.

DESCRIPTION		FY 2013 DEPT BUDGET	FY 2014 DEPT REQUEST	FY 2014 FINCOM Recommendation	FY 2014 TOWN MGR Recommendation
<b>MODERATOR</b>					
SALARY	1	200	200	200	200
<b>TOTAL</b>		<b>200</b>	<b>200</b>	<b>200</b>	<b>200</b>
<b>SELECTMEN</b>					
SALARY-ELECTED	2	10,000	10,000	10,000	10,000
SALARY/WAGE	3	341,177	344,243	344,243	344,243
EXPENSE	4	21,000	28,300	28,300	28,300
LEG/ENG/CONSULTING	5	248,960	240,000	240,000	240,000
<b>TOTAL</b>		<b>621,137</b>	<b>622,543</b>	<b>622,543</b>	<b>622,543</b>
<b>FINANCE COMMITTEE</b>					
RESERVE FUND	6	74,000	100,000	100,000	100,000
EXPENSE	7	57,000	62,000	62,000	62,000
<b>TOTAL</b>		<b>131,000</b>	<b>162,000</b>	<b>162,000</b>	<b>162,000</b>
<b>TOWN ACCOUNTANT</b>					
SALARY/WAGE	8	189,806	194,407	194,407	194,407
EXPENSE	9	900	1,000	1,000	1,000
<b>TOTAL</b>		<b>190,706</b>	<b>195,407</b>	<b>195,407</b>	<b>195,407</b>
<b>ASSESSORS</b>					
SALARY-APPOINTED	10	3,000	3,000	3,000	3,000
SALARY/WAGE	11	205,458	212,918	212,918	212,918
EXPENSE	12	5,100	5,200	5,200	5,100
<b>TOTAL</b>		<b>213,558</b>	<b>221,118</b>	<b>221,118</b>	<b>221,018</b>
<b>TREASURER/TAX COLLECTOR</b>					
SALARY/WAGE	13	98,126	178,331	178,331	178,331
EXPENSE	14	147,100	57,500	57,500	57,500
DEBT SERVICE	15	3,270	3,270	3,270	3,270
FORECLOSURE	16	10,000	10,000	10,000	10,000
<b>TOTAL</b>		<b>258,496</b>	<b>249,101</b>	<b>249,101</b>	<b>249,101</b>
<b>HUMAN RESOURCES</b>					

DESCRIPTION		FY 2013 DEPT BUDGET	FY 2014 DEPT REQUEST	FY 2014 FINCOM Recommendation	FY 2014 TOWN MGR Recommendation
SALARY/WAGE	17	265,562	247,219	247,219	247,219
EXPENSE	18	42,270	45,670	45,670	45,670
<b>TOTAL</b>		<b>307,832</b>	<b>292,889</b>	<b>292,889</b>	<b>292,889</b>
<b>INFORMATION TECHNOLOGY</b>					
SALARY/WAGE	19	203,511	211,184	211,184	211,184
EXPENSE	20	185,571	182,310	182,310	182,310
PC REPLACEMENT	21	16,500	16,500	16,500	16,500
<b>TOTAL</b>		<b>405,582</b>	<b>409,994</b>	<b>409,994</b>	<b>409,994</b>
<b>TOWN CLERK</b>					
SALARY-ELECTED	22	62,416	62,416	62,416	62,416
SALARY/WAGE	23	72,592	73,395	72,895	72,895
EXPENSE	24	7,900	8,500	8,400	8,400
<b>TOTAL</b>		<b>142,908</b>	<b>144,311</b>	<b>143,711</b>	<b>143,711</b>
<b>ELECTIONS &amp; REGISTRATIONS</b>					
SALARY/WAGE	25	47,221	45,116	45,116	45,116
EXPENSE	26	10,700	15,550	13,250	13,250
<b>TOTAL</b>		<b>57,921</b>	<b>60,666</b>	<b>58,366</b>	<b>58,366</b>
<b>CONSERVATION</b>					
SALARY/WAGE	27	112,185	112,910	112,810	112,810
EXPENSE	28	1,325	1,345	1,280	1,280
HERRING EXPENSE	29	500	500	500	500
<b>TOTAL</b>		<b>114,010</b>	<b>114,755</b>	<b>114,590</b>	<b>114,590</b>
<b>PLANNING BOARD</b>					
EXPENSE	30	7,414	7,562	7,414	7,414
<b>TOTAL</b>		<b>7,414</b>	<b>7,562</b>	<b>7,414</b>	<b>7,414</b>
<b>PLANNING DEPARTMENT</b>					
SALARY/WAGE	31	84,716	85,050	85,050	85,050
EXPENSE	32	4,800	4,896	4,800	4,800
<b>TOTAL</b>		<b>89,516</b>	<b>89,946</b>	<b>89,850</b>	<b>89,850</b>
<b>TOWN HALL</b>					

DESCRIPTION		FY 2013 DEPT BUDGET	FY 2014 DEPT REQUEST	FY 2014 FINCOM Recommendation	FY 2014 TOWN MGR Recommendation
EXPENSE	33	249,500	259,500	259,500	259,500
<b>TOTAL</b>		<b>249,500</b>	<b>259,500</b>	<b>259,500</b>	<b>259,500</b>
<b>POLICE</b>					
SALARY/WAGE	34	3,219,167	3,359,843	3,352,761	3,352,761
EXPENSE	35	294,381	324,006	319,263	319,263
DISPATCHERS SALARY/WAGE	36	382,321	438,902	395,389	395,389
SHELLFISH PROPOGATION	37	20,000	20,000	20,000	20,000
<b>TOTAL</b>		<b>3,915,869</b>	<b>4,142,751</b>	<b>4,087,413</b>	<b>4,087,413</b>
<b>FIRE</b>					
SALARY/WAGE	38	2,818,950	2,923,609	2,923,609	2,923,609
EXPENSE	39	406,229	452,272	423,334	423,334
<b>TOTAL</b>		<b>3,225,179</b>	<b>3,375,881</b>	<b>3,346,943</b>	<b>3,346,943</b>
<b>BUILDING INSPECTOR</b>					
SALARY/WAGE	40	195,308	200,155	199,291	199,291
EXPENSE	41	49,580	51,148	49,948	49,948
<b>TOTAL</b>		<b>244,888</b>	<b>251,303</b>	<b>249,239</b>	<b>249,239</b>
<b>TREE WARDEN</b>					
EXPENSE	42	425	425	425	425
<b>TOTAL</b>		<b>425</b>	<b>425</b>	<b>425</b>	<b>425</b>
<b>SCHOOL</b>					
BUDGET	43	19,082,039	19,560,999	19,560,999	19,560,999
<b>TOTAL</b>		<b>19,082,039</b>	<b>19,560,999</b>	<b>19,560,999</b>	<b>19,560,999</b>
<b>D.P.W.</b>					
SALARY/WAGE	44	1,935,432	1,946,717	1,946,717	1,946,717
EXPENSE	45	468,150	507,610	500,660	500,660
BUILDINGS & GROUNDS	46	1,198,000	1,127,500	1,127,500	1,127,500
SMALL BLDG CONSTRUCTION	47	-	5,000	5,000	5,000
<b>TOTAL</b>		<b>3,601,582</b>	<b>3,586,827</b>	<b>3,579,877</b>	<b>3,579,877</b>
<b>SNOW &amp; ICE</b>					
EXPENSE	48	116,570	116,570	116,570	116,570

DESCRIPTION		FY 2013 DEPT BUDGET	FY 2014 DEPT REQUEST	FY 2014 FINCOM Recommendation	FY 2014 TOWN MGR Recommendation
<b>TOTAL</b>		<b>116,570</b>	<b>116,570</b>	<b>116,570</b>	<b>116,570</b>
<b>STREET LIGHTING</b>					
EXPENSE	49	36,900	36,900	36,900	36,900
<b>TOTAL</b>		<b>36,900</b>	<b>36,900</b>	<b>36,900</b>	<b>36,900</b>
<b>HEALTH</b>					
SALARY-APPOINTED	50	3,000	3,000	3,000	3,000
SALARY/WAGE	51	193,696	195,677	195,677	195,677
EXPENSE	52	23,290	22,340	22,340	22,340
<b>TOTAL</b>		<b>219,986</b>	<b>221,017</b>	<b>221,017</b>	<b>221,017</b>
<b>HUMAN SERVICES</b>					
SALARY/WAGE	53	60,406	61,584	61,584	61,584
EXPENSE	54	45,799	34,775	34,775	34,775
<b>TOTAL</b>		<b>106,205</b>	<b>96,359</b>	<b>96,359</b>	<b>96,359</b>
<b>TRANSFER STATION</b>					
EXPENSE	55	887,000	902,414	902,414	902,414
<b>TOTAL</b>		<b>887,000</b>	<b>902,414</b>	<b>902,414</b>	<b>902,414</b>
<b>SEWER COMMISSION</b>					
EXPENSE	56	130	133	133	133
<b>TOTAL</b>		<b>130</b>	<b>133</b>	<b>133</b>	<b>133</b>
<b>CEMETERY</b>					
EXPENSE	57	15,000	15,000	15,000	15,000
<b>TOTAL</b>		<b>15,000</b>	<b>15,000</b>	<b>15,000</b>	<b>15,000</b>
<b>COUNCIL ON AGING</b>					
SALARY/WAGE	58	200,197	194,768	194,768	194,768
EXPENSE	59	34,767	35,414	31,107	31,107
<b>TOTAL</b>		<b>234,964</b>	<b>230,182</b>	<b>225,875</b>	<b>225,875</b>
<b>VETERANS</b>					
MEMBERSHIP	60	30,312	31,334	31,334	31,334
EXPENSE	61	70,000	77,500	77,500	77,500
<b>TOTAL</b>		<b>100,312</b>	<b>108,834</b>	<b>108,834</b>	<b>108,834</b>
<b>LIBRARY</b>					
SALARY/WAGE	62	276,108	411,289	302,451	302,451
EXPENSE	63	122,293	150,328	138,043	138,043

DESCRIPTION		FY 2013 DEPT BUDGET	FY 2014 DEPT REQUEST	FY 2014 FINCOM Recommendation	FY 2014 TOWN MGR Recommendation
<b>TOTAL</b>		<b>398,401</b>	<b>561,617</b>	<b>440,494</b>	<b>440,494</b>
<b>RECREATION</b>					
SALARY/WAGE	64	288,114	290,941	290,941	290,941
EXPENSE	65	14,100	15,675	15,145	15,145
<b>TOTAL</b>		<b>302,214</b>	<b>306,616</b>	<b>306,086</b>	<b>306,086</b>
<b>HISTORICAL</b>					
SALARY/WAGE	66	4,500	4,500	4,500	4,500
EXPENSE	67	1,000	1,000	500	500
<b>TOTAL</b>		<b>5,500</b>	<b>5,500</b>	<b>5,000</b>	<b>5,000</b>
<b>CULTURAL COUNCIL</b>					
EXPENSE	68	90	90	90	90
<b>TOTAL</b>		<b>90</b>	<b>90</b>	<b>90</b>	<b>90</b>
<b>PRINCIPAL INSIDE 2 ½</b>	69	<b>1,184,220</b>	<b>1,219,639</b>	<b>1,219,639</b>	<b>1,219,639</b>
<b>PRINCIPAL OUTSIDE 2 ½</b>	70	<b>2,344,122</b>	<b>2,409,496</b>	<b>2,409,496</b>	<b>2,409,496</b>
<b>INTEREST INSIDE 2 ½</b>	71	<b>371,930</b>	<b>370,171</b>	<b>370,171</b>	<b>370,171</b>
<b>INTEREST OUTSIDE 2 ½</b>	72	<b>729,456</b>	<b>632,695</b>	<b>632,695</b>	<b>632,695</b>
<b>TEMP BORROW INSIDE 2 ½</b>	73	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>
<b>RETIREMENT EXPENSE</b>	74	<b>2,177,885</b>	<b>2,379,357</b>	<b>2,379,357</b>	<b>2,379,357</b>
<b>UNEMPLOYMENT</b>	75	<b>60,000</b>	<b>60,000</b>	<b>60,000</b>	<b>60,000</b>
<b>MEDICAL INSURANCE</b>	76	<b>5,757,624</b>	<b>6,049,086</b>	<b>6,049,086</b>	<b>6,049,086</b>
<b>GROUP INSURANCE</b>	77	<b>15,316</b>	<b>15,316</b>	<b>15,316</b>	<b>15,316</b>
<b>MEDICARE</b>	78	<b>371,920</b>	<b>378,140</b>	<b>378,140</b>	<b>378,140</b>
<b>TOWN INSURANCE</b>	79	<b>578,000</b>	<b>580,000</b>	<b>580,000</b>	<b>580,000</b>
<b>GRAND TOTAL</b>		<b>48,893,507</b>	<b>50,463,310</b>	<b>50,240,151</b>	<b>50,240,151</b>

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee voted unanimously to recommend approval of the Omnibus Budget with the following exceptions:**

**Building – Finance Committee recommends approval by a vote of 6-1.**

**Police – Finance Committee recommends approval by a vote of 6-1.**

**Fire – Finance Committee recommends approval by a vote of 6-1.**

**School – Finance Committee recommends approval by a vote of 4-3.**

**Library - Finance Committee recommends approval by a vote of 6-1.**

**Motion made by Selectman Thomas O’Hara**

**Motion:** I move the Town vote to fix the salaries of the elected officers as specified under the columns entitled “Town Manager Recommendation”: in line items 2 and 22 of the “Omnibus Budget” as distributed to voters at the Town Meeting and further the Town defray the expenses for the ensuing fiscal year by appropriation, those amounts shown under columns entitled “Town Manager Recommendation” and that to fund said appropriation, the Town raise and appropriate \$46,985,933; and further appropriate and transfer from the Ambulance Receipts Reserved for Appropriation Account \$450,000 to line item 38, and \$50,000 to line item 39, and \$12,465 to line item 20; appropriate and transfer from the Hotel/Motel Receipts Account \$30,000 to line item 76; appropriate and transfer from the Conservation Revolving Account \$5,000 to line item 27; appropriate and transfer from the Shellfish Receipts Reserved for Appropriation Account \$20,000 to line item 37; appropriate and transfer from the Cemetery Receipts Reserved for Appropriation Account \$15,000 to line item 57; appropriate and transfer from the Street Betterment Receipts Reserved for Appropriation Account \$255,350, to line item 69, \$80,408 to line item 71; appropriate and transfer from the Septic Betterment Receipts Reserved for Appropriation Account \$11,000 to line item 51; \$29,159 to line item 69; and appropriate and transfer from the CPA Fund \$678,490 to line item 69; \$219,686 to line Item 71; and appropriate and transfer from Revenue Available for Appropriation \$1,397,660 to line item 76.

**Motion passes unanimously at 7:46 PM.**

**Article 3**

To see if the Town will vote to appropriate and transfer from available funds \$1,262,256 to various department Capital Accounts, or take any other action relating thereto.

Submitted by the Board of Selectmen

<i>Department</i>		<i>FY 2014 CIP Committee Report</i>	<i>Town Manager Recommendation</i>

<b>FIRE</b>			
Repl Deputy Chief's Vehicle	1	\$39,000	\$39,000
Purchase 3 Ambulances	2	\$528,000	\$528,000
<b>Total</b>		<b>\$567,000</b>	<b>\$567,000</b>
<b>IT</b>			
Open Cape Laterals	3	\$25,000	\$25,000
Remote Access – Police Dept.	4	\$25,000	\$25,000
<b>Total</b>		<b>\$50,000</b>	<b>\$50,000</b>
<b>PLANNING &amp; CONSTRUCTION</b>			
Storage Garage	5	\$100,000	\$100,000
Replacement of Flooring	6	\$50,000	\$50,000
Locker Repair & Replacement	7	\$20,000	\$20,000
Bathroom Improvements - School	8	\$30,000	\$30,000
<b>Total</b>		<b>\$200,000</b>	<b>\$200,000</b>
<b>POLICE</b>			
10 Police Vehicles	9	\$120,000	\$120,000
4 Police Vehicles	10	\$44,000	\$44,000
Replace Shellfish Vehicle	11	\$14,600	\$14,600
Safe Boat Engine Replacement	12	\$41,656	\$41,656
<b>Total</b>		<b>\$220,256</b>	<b>\$220,256</b>
<b>PUBLIC WORKS</b>			
Equipment Replacement	13	\$150,000	\$150,000
<b>Total</b>		<b>\$150,000</b>	<b>\$150,000</b>
<b>RECREATION</b>			
Purchase 29 Passenger Bus	14	\$45,000	\$45,000
<b>Total</b>		<b>\$45,000</b>	<b>\$45,000</b>
<b>SCHOOL</b>			
Wireless Backbone Upgrade	15	\$30,000	\$30,000
<b>Total</b>		<b>\$30,000</b>	<b>\$30,000</b>
<b>Grand Total</b>		<b>\$1,262,256</b>	<b>\$1,262,256</b>

**Explanation:** This article is to appropriate funds for the Fiscal Year 2014 capital budget.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-1.**

**Motion made by Selectman Michael Richardson.**

**Motion:** I move the Town vote to appropriate and transfer from the Mashpee Cable and Advanced Technology Account, \$80,000 to line items 3,4, and 15; appropriate and transfer from Chapter 90 Funds, \$100,000 to line item 5; appropriate and transfer from the Ambulance

Receipts Account \$528,000 to line item 2; and appropriate and transfer from Revenue Available for Appropriation \$554,256 to the remaining various department Capital Accounts.

**Motion passes at 7:49 PM.**

#### **Article 4**

To see if the Town will vote to approve the annual regional school district budget for the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2013, in the amount of \$13,505,905 and further, to see if the Town will vote to raise and appropriate \$920,060 to meet its share of the cost of operation and maintenance of the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2014, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** Mashpee's share of the Regional Technical High School budget is \$920,060. There are 55 students from Mashpee at the Regional Technical High School, a *decrease* from 62 students last year.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman Carol Sherman.**

**Motion:** I move the Town vote to approve the annual regional school district budget for the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2013, in the amount of \$13,505,905 and further, to see if the Town will vote to raise and appropriate \$920,060 to meet its share of the cost of operation and maintenance of the Cape Cod Regional Technical High School District for the fiscal year beginning July 1, 2013.

**Motion passes unanimously at 7:51PM.**

#### **Article 5**

To see if the Town will vote to reauthorize the Recreation Revolving Account through the Town Accountant's Office in accordance with Massachusetts General Laws, Chapter 44, § 53E ½, to be expended under the direction of the Recreation Department, said Account to be funded by revenues collected from the various Recreation Department Programs and expended for the purpose of paying such wages, benefits and other related costs and expenses as are necessary to conduct Recreation Department Programs; and to establish the limit on expenditures from said account for Fiscal Year 2014 at \$300,000, or take any other action relating thereto.

Submitted by the Recreation Department

**Explanation:** This revolving account is required in order to receive and disburse funds generated through programs supported by such revolving fund. Revenues must be used to offset

expenses of these programs. The Recreation Department, through its agent, will manage this account.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman Wayne Taylor**

**Motion:** I move the Town vote to reauthorize the Recreation Revolving Account through the Town Accountant's Office in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½, to be expended under the direction of the Recreation Department, said Account to be funded by revenues collected from the various Recreation Department Programs and expended for the purpose of paying such wages, benefits and other related costs and expenses as are necessary to conduct Recreation Department Programs; and to establish the limit on expenditures from said account for Fiscal Year 2014 at \$300,000.

**Motion passes unanimously at 7:53 PM.**

**Article 6**

To see if the Town will vote to appropriate \$410,460 for the operation of the Kids Klub Enterprise Fund for Fiscal Year 2014; such sums to be raised from \$410,460 in receipts of the Enterprise, or take any other action relating thereto.

Submitted by the Recreation Department

<b>Estimated Revenues</b>	
Registration Fees	\$6,025
Tuition	\$404,210
<i>Toddler Program</i>	<i>(20%)</i>
<i>3 &amp; 4 YO Daycare</i>	<i>(30%)</i>
<i>Pre-School Program</i>	<i>(40%)</i>
<i>Pre-School Camp</i>	<i>(10%)</i>
Investment Income	\$125
Late Fees	\$100
<b>Total Budgeted Revenue</b>	<b>\$410,460</b>
<b>Estimated Expenses</b>	
Salary (full time)	\$195,203
Salary (part time)	\$108,384
Benefits (health, life, Medicare)	\$52,554
Building Expenses	\$54,319
<b>Total Budgeted Expenses</b>	<b>\$410,460</b>
<b>Net Profit/Loss</b>	<b>\$ -0-</b>

**Explanation:** The proposed Recreation Enterprise budget for next year will authorize the Department to operate a Toddler/Pre-School Program as a self-sufficient, self-funded operation.

All costs related to the operation of the program are projected to be offset by the program revenues. All surpluses of this account at the end of the year will remain within the account.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman John Cahalane.**

**Motion:** I move the Town vote that the following sum be appropriated for the Kids Klub Enterprise Fund for Fiscal Year 2014:

Personnel	\$303,587
Benefits	\$ 52,554
Operating Expenses	<u>\$ 54,319</u>
Total	\$410,460

And said \$410,460 be raised through departmental receipts of the enterprise.

**Motion passes unanimously at 7:54 PM.**

#### **Article 7**

To see if the Town will vote to re-authorize the Council on Aging Revolving Fund, through the Town Accountant, in accordance with Massachusetts General Laws, Chapter 44, § 53E ½ to be expended under the direction of the Council on Aging; said Fund to be funded by revenues collected from Council on Aging program income and expended for purposes furthering the operation of programs by the Council on Aging, and to establish the limit on expenditures from said account for Fiscal Year 2014 at \$15,000, or take any other action relating thereto.

Submitted by the Council on Aging

**Explanation:** This revolving fund is required in order to receive and disburse funds generated through programs supported by such revolving fund such as senior trips, educational programs, educational program staff, transportation programs, etc. Revenues will be used to offset expenses related to these programs and activities.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman Thomas O'Hara.**

**Motion:** I move the Town vote to re-authorize the Council on Aging Revolving Fund, through the Town Accountant, in accordance with Massachusetts General Laws, Chapter 44, Section 53E ½ to be expended under the direction of the Council on Aging; said Fund to be funded by revenues collected from Council on Aging program income and expended for purposes

furthering the operation of programs by the Council on Aging, and to establish the limit on expenditures from said account for Fiscal Year 2014 at \$15,000.

**Motion passes unanimously at 7:55 PM.**

### **Article 8**

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds \$610,543 to provide for road improvement projects under the Chapter 90 program, or take any other action relating thereto.

Submitted by the Department of Public Works

**Explanation:** This article authorizes use of funds which will be 100% reimbursed by the Commonwealth of Massachusetts. The budget approved each fiscal year by the Legislature and Governor establishes the total funding available for Chapter 90 local transportation aid for that year. These funds are then apportioned to the 351 Massachusetts towns and cities.

The funding authorized by this article is the maximum anticipated Town's share of the FY13 Chapter 90 program.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman Michael Richardson.**

**Motion:** I move the Town vote to appropriate \$610,543 to provide for road improvement projects in and for the Town, in accordance with the provisions of Chapter 90 of the Massachusetts General Laws and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum of \$610,543 under and pursuant to the provisions of G.L. c. 44 § 7&8, or any other enabling authority, and to issue bonds and notes of the Town therefor.

**Motion passes unanimously at 7:57 PM.**

### **Article 9**

To see if the Town will vote to authorize the Board of Selectmen to enter into a contract for the disposal of the Town's solid waste for a period not to exceed twenty (20) years commencing on January 1, 2015, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town, which contract may include a provision that the Town shall not be exempt from liability for the payment of contract sums in future fiscal years; or to take any other action relating thereto.

Submitted by the Department of Public Works

**Explanation:** This article authorizes the Town to sign up to a 20 year contract for disposal of trash collected at the Mashpee Transfer Station. The Town's current 30 year disposal contract

with Covanta SEMASS expires December 31, 2014. Negotiations are still ongoing with prospective disposal sites but should be finalized by May ATM, with contract signature pending approval of this article. Expected fee increases would be budgeted for in FY15.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 5-0; 2 abstentions.**

**Motion made by Selectman Carol Sherman.**

**Motion:** I move the Town vote to authorize the Board of Selectmen to enter into a contract for the disposal of the Town's solid waste for a period not to exceed twenty (20) years commencing on January 1, 2015, on such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town, which contract may include a provision that the Town shall not be exempt from liability for the payment of contract sums in future fiscal years.

**Motion passes at 7:58 PM.**

## **Article 10**

To see if the Town will vote to create two part-time (19.5 hours) Cataloger positions at the Mashpee Public Library, effective July 1, 2013 and for said purpose to raise and appropriate or transfer \$31,758 for salaries for the positions; said funds to be apportioned to the Library Salary/Wage Account, or take any other action relating thereto.

Submitted by the Board of Library Trustees

**Explanation:** Since moving into the new Library building three years ago, demand for books, DVDs, and library materials of all formats has increased in proportion to our growing patron base. Residents arrive at the Library eager to obtain copies of the latest bestsellers, blockbuster movies, and popular non-fiction, only to discover sparsely-filled shelves and long waiting lists. In the most recently filed state reports, the Mashpee Library, which is supported by a community of 14,006 residents, reported a print collection of 33,525 items. The town of Harwich, which serves a population of 12,243, reported a print collection of 61,104 items. Expanding holdings is one of the top priorities established in the Library's recently adopted Strategic Plan.

In order to support this goal, and perform the necessary cataloging and data entry to make shelf-ready a larger supply of books and materials, additional staff is needed in this area. Staff members who are faced with the challenge of trying to catalog materials while staffing the public service desks, and assisting patrons are unable to give their undivided attention to the task of processing new materials for the collection. If the Library is to successfully expand its collection of materials to meet the needs of the community, it must maintain a consistent workflow. These positions will allow us to seriously begin to address the issue of collection development at the Library.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 5-2.**

**Motion made by Selectman Wayne Taylor.**

**Motion:** I move the Town vote to create two part-time (19.5 hour) Cataloger positions for the Mashpee Public Library, under the Personnel Administration Plan, Grade 6, Step 1, and for said purpose to appropriate and transfer from Revenue Available for Appropriation \$31,758 to the Library Salary/ Wage Account.

**Motion passes at 7:59 PM.**

**Article 11**

To see if the Town will vote to create two part-time (19.5 hours) Circulation Assistant positions at the Mashpee Public Library, effective July 1, 2013 and for said purpose to raise and appropriate or transfer \$28,256 for salaries for the positions; said funds to be apportioned to the Library Salary/ Wage Account, or take any other action relating thereto.

Submitted by the Board of Library Trustees

**Explanation:** Since the new library building opened in 2010, library use has increased dramatically. Circulation increased from 118,361 items in Fiscal Year 2010 to 201,286 total items in Fiscal Year 2013 as the popularity of the new building continues to grow. The total number of Library card holders has increased from 9,858 in Fiscal Year 2010 to 13,377 card holders in Fiscal Year 2013. The Library attracts many year-round patrons, as well as seasonal and part-time residents, and there has been no decline in the public's interest in seeking library services.

The Library posted one of the highest rates of circulation per open hour in the CLAMS library system in Fiscal Year 2013, and the highest number of items circulated per employee (30,831.55) among CLAMS libraries.

Staffing levels are not sufficient to maintain operations at the current level. These positions are necessary in order to continue operations, provide improved customer service to the community, and begin to meet the goals outlined in the Library's recently adopted Strategic Plan.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 4-3.**

**Motion made by Selectman John Cahalane.**

**Motion:** I move the Town vote to create two part-time (19.5 hour) Circulation Assistant positions for the Mashpee Public Library, under the Personnel Administration Plan, Grade 4, Step 1, and for said purpose to appropriate and transfer from Revenues Available for Appropriation \$28,256 to the Library Salary/ Wage Account.

**Motion passes at 8:00 PM.**

**Article 12**

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund Budgeted Reserve Account \$40,000 to the Community Preservation Administrative and Operating Expense Account, or take any action relating thereto.

Submitted by the Community Preservation Committee

**Explanation:** To provide annual funding for the administrative and operational costs of the Community Preservation Committee which includes incidental project costs associated to and incidental to the Community Preservation Committee. Under the CPA Act, up to 5% of the annual CPA funds may be spent on operation and administrative costs of the Community Preservation Committee. Funding supports legal fees, technical reviews, appraisal costs, signage, annual Community Preservation Coalition dues, administrative wages, office supplies and similar costs associated with and incidental to the development of a CPA project. It is necessary to re-authorize the appropriation of funding on an annual basis as funding reverts back to the Community Preservation Budgeted Reserve.

The Community Preservation Committee voted unanimously 6-0 in support of this article.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman Thomas O'Hara.**

**Motion:** I move the Town vote to appropriate and transfer \$40,000 from the Community Preservation Budgeted for Appropriation Reserve to the Community Preservation Committee Administrative and Operating Expense Accounts.

**Motion passes unanimously at 8:01 PM.**

### **Article 13**

To see if the Town will vote to reauthorize the Waquoit Bay MEP Account and to appropriate and transfer from available funds \$8328 to said account, to be expended under the direction of the Sewer Commission, as local matching funds, in conjunction with the Town of Falmouth, toward completion of the Massachusetts Estuaries Project report regarding critical nitrogen loading thresholds for Waquoit Bay, Eel Pond and Childs River, or take any other action relating thereto.

Submitted by Sewer Commission

**Explanation:** Under Article 18 at the October 16, 2006 Annual Town Meeting, the Town voted \$23,625 toward a portion (25%) of the costs of the Massachusetts Estuaries Project (MEP) report regarding critical nitrogen loading thresholds for Waquoit Bay (central basin), Childs River and Eel Pond, with the remaining local matching funds to be paid by the Town of Falmouth. The work was contracted and the Draft Report has been completed, for which \$15,297 was expended. This article seeks to reinstate funding for Mashpee's remaining \$8328 share of the funds needed to complete the final report. (The 2006 appropriation was extended for an additional three years in 2009, but further extension in October 2012 was inadvertently missed.)

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Selectman Michael Richardson.**

**Motion:** I move the Town vote to re-authorize the Waquoit Bay MEP Account and to appropriate and transfer from Revenue Available for Appropriation \$8,328 to the Waquoit Bay MEP Account, to be expended under the direction of the Sewer Commission, as local matching funds, in conjunction with the Town of Falmouth, toward completion of the Massachusetts Estuaries Project report regarding critical nitrogen loading thresholds for Waquoit Bay, Eel Pond and Childs River.

**Motion passes unanimously at 8:02 PM.**

#### **Article 14**

To see if the Town will vote to appropriate and transfer \$15,000 from the Waterways Improvement Fund Account to the Waterways Equipment/Maintenance Account, or take any other action relating thereto.

Submitted by the Waterways Commission

**Explanation:** These funds will cover the cost of channel markers, associated hardware, chain, anchors and miscellaneous equipment to enable the Harbormaster to properly identify channels.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**Motion made by Selectman Carol Sherman.**

**Motion:** I move the Town vote to appropriate and transfer \$15,000 from the Waterways Improvement Fund Account to the Waterways Equipment/Maintenance Account.

**Motion passes unanimously 8:03 PM.**

## **Article 15**

To see if the Town will vote to appropriate and transfer \$77,000 from the Waterways Improvement Fund Account to the Waterways Dredging Account for the purpose of performing maintenance dredge of the Popponesset Approach Channel, or take any action relating thereto.

Submitted by the Waterways Commission

**Explanation:** These funds will cover the cost of dredging 7,000 cubic yards of sediment from the channel on a “long haul” dredge.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**Motion made by Selectman Wayne Taylor.**

**Motion:** I move the Town vote to appropriate and transfer \$77,000 from the Waterways Improvement Fund Account to the Waterways Dredging Account for the purpose of performing maintenance dredge of the Popponesset Approach Channel.

**Motion passes unanimously at 8:04 PM.**

## **Article 16**

To see if the Town will vote to accept Massachusetts General Laws Chapter 200A, Section 9A, Abandoned Property, or take any other action relating thereto.

Submitted by the Treasurer/ Collector

**Explanation:** Acceptance of this provision of General Law allows the Town to utilize the alternative process for disposition of abandoned funds, including “old outstanding checks”, by publishing notice of such abandoned funds in the newspaper, whereupon the Town will then hear claims for said funds, and after one year, it can return the abandoned funds back to the Town’s General Fund as opposed to allowing them to escheat to the Commonwealth.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**Motion made by Selectman John Cahalane.**

**Motion:** I move the Town vote to accept Massachusetts General Laws Chapter 200A, § 9A - Abandoned Property.

**Motion passes unanimously at 8:05 PM.**

## **Article 17**

To see if the Town will vote to authorize the Board of Selectmen to convey to the Town of Barnstable an interest in the so called "Mills Family Land" acquired by the Town pursuant to the authority granted by the Mashpee Annual Town Meeting under Article 11 of the May 7, 2007 Meeting and Article 15 of the May 2, 2011 Meeting, in consideration of a contribution by Barnstable to the purchase price for said property, to authorize the Board of Selectmen to execute any agreements or instruments necessary to consummate this conveyance, and to authorize the Board of Selectmen to petition the General Court for such special legislation, including authorization to transfer an interest in the subject property pursuant to Article 97 of the Amendments to the Massachusetts Constitution, as may be necessary to effect this inter-municipal transfer of property interest; provided, however, that said land shall remain dedicated to the same open space/conservation use and purpose for which it was acquired by Mashpee, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** The Town acquired the full, undivided fee interest in the subject parcels of land for open space/ conservation purposes in May 2010, after satisfactory resolution of certain title issues relating to the property. Throughout the planning stages of this land acquisition it was anticipated that Mashpee would acquire a joint interest in the subject property with the Town of Barnstable, commensurate with the respective Town's contribution to the purchase price. At the time Mashpee acquired title to the property in May 2010, Barnstable was not prepared to participate in the transaction because it did not have all final authorizations and funding in place. Subsequent to Mashpee's acquisition of the land, the two Towns have revisited discussions to complete the land acquisition in the joint manner originally contemplated. This Article would authorize the Selectmen to petition the General Court during the current legislative session for Special Legislation under Article 97 of the Amendments to the Massachusetts Constitution to permit Mashpee to transfer a partial interest in this open space/conservation property to Barnstable, commensurate with Barnstable's contribution toward the purchase price, and to execute any agreements or instruments necessary therefor. All funds paid to Mashpee by Barnstable in consideration of this interest would be deposited in the Community Preservation Committee (CPC) account from which the original purchase price was paid and, thus, would become available for appropriation for additional CPC open space expenditures.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**Motion made by Selectman Thomas O'Hara.**

**Motion:** I move the Town vote to authorize the Board of Selectmen to convey to the Town of Barnstable an interest in the so called "Mills Family Land" acquired by the Town pursuant to the authority granted by the Mashpee Annual Town Meeting under Article 11 of the May 7, 2007 Meeting and Article 15 of the May 2, 2011 Meeting, in consideration of a contribution by Barnstable to the purchase price for said property, to authorize the Board of Selectmen to execute any agreements or instruments necessary to consummate this conveyance, and to authorize the Board of Selectmen to petition the General Court for such special legislation, including authorization to transfer an interest in the subject property pursuant to Article 97 of the Amendments to the Massachusetts Constitution, as may be necessary to effect this inter-

municipal transfer of property interest; provided, however, that said land shall remain dedicated to the same open space/ conservation use and purpose for which it was acquired by Mashpee.

**Motion passes unanimously at 8:07 PM.**

## **Article 18**

To see if the Town will vote to amend the Zoning By-Law as follows:

Renumber Subsection 174-24.J. to become 174-24.K.

Adopt a new Subsection 174-24.J. to read as follows:

### **“J. Medical Marijuana Treatment Centers**

Whereas, by vote at the State Election on November 6, 2012, the voters of the Commonwealth approved Ballot Question 3 authorizing legislation regulating the cultivation, distribution, possession and use of marijuana for medical purposes and the establishment of medical marijuana treatment centers; and

Whereas, said law became effective on January 1, 2013; and,

Whereas, said law defines a medical marijuana treatment center as a Massachusetts not-for-profit entity, registered under this new law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses or administers marijuana, products containing marijuana, related supplies or educational materials to qualifying patients and their personal caregivers; and

Whereas, the State Department of Public Health is required to issue regulations regarding implementation of the new law within 120 days of the law’s effective date; and,

Whereas, under the Mashpee Zoning By-law a medical marijuana treatment facility is currently not a permitted use in the Town; and,

Whereas any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including medical marijuana treatment centers; and,

Whereas, the regulation of medical marijuana raises novel and complex legal and land use planning issues; and,

Whereas the Town needs time to study and consider the regulation of medical marijuana treatment centers and address such novel and complex issues; and,

Whereas the Town needs time to address the potential impact of the state regulations on local zoning; and,

Whereas the Town needs time to undertake a planning process to consider substantive amendments to the Zoning By-law regarding regulation of medical marijuana treatment centers and other uses related to medical marijuana; and,

Whereas the Town deems it to be in the public interest and consistent with the underlying goals and objectives of the Zoning By-law to adopt a temporary moratorium on the use of land and structures located in the Town for medical marijuana treatment centers and related purposes so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to enact bylaws and regulations in a manner consistent with sound land use planning goals and objectives;

Therefore, the Town of Mashpee hereby adopts the following temporary moratorium on the use of land and structures for medical marijuana treatment centers in the Town:

For the reasons set forth above and notwithstanding any other provision in the Town of Mashpee Zoning By-law to the contrary, the Town of Mashpee hereby adopts a temporary moratorium on the use of land or structures for purposes of cultivation, distribution, possession and use of marijuana for medical purposes and/or the operation of a medical marijuana treatment center. The moratorium shall remain in effect until October 21, 2013 (unless repealed earlier by action of Town Meeting). During the moratorium period, the Town will undertake a planning process to address the potential impacts of the medical marijuana legislation in Mashpee, consider the Department of Public Health regulations regarding medical marijuana treatment facilities and related uses, and adopt appropriate zoning regulations to address the impact and operation of medical marijuana treatment centers and related uses in Mashpee.”

or take any other action relating thereto.

Submitted by Board of Selectmen and Planning Board

**Explanation:** This article would establish a temporary moratorium on Medical Marijuana Treatment Centers, until October 21, 2013, in order to allow the Town the time to develop and adopt any necessary zoning by-laws or other regulations regarding said centers once the State Department of Public Health has issued regulations regarding implementation of the new law adopted pursuant to the vote at the State Election on November 6, 2012 by which the voters of the Commonwealth approved Ballot Question 3 authorizing legislation regulating the cultivation, distribution, possession and use of marijuana for medical purposes. It is anticipated that a zoning article relative to the location and regulation of such centers in Mashpee will be prepared and submitted for approval at a future Town Meeting.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**After a public hearing held on April 17, 2013, the Planning Board voted 3-1, with one abstention, to recommend approval of Article 18.**

**Motion made and seconded to dispense with reading of article**

**Motion to dispense with reading of article passes at 8:08 PM.**

**Motion made by Selectman Michael Richardson.**

**Motion:** I move Article 18 be approved as printed in the warrant, with the exception of the phrase “or take any other action relating thereto”.

**Motion passes by a 2/3rds vote at 8:09 PM**

### **Article 19**

To see if the Town will vote to accept the proposed layout of a private way open to public travel known as Simons Road between Fin’ Me Oot Road to Sampson’s Mill Road as shown on a plan entitled “Plan of Land for Portion of Simons Road Roadway Discontinuance and Relocation Plan”, prepared by Baxter Nye Engineering, dated February 8, 2013, scale 1’ = 50’, on file with the Town Clerk (the “Plan”) and approved by the Board of Selectmen in accordance with applicable provisions of M.G.L. Chapter 82; and further to abandon and discontinue any rights of the public in and to the former location of Simon’s Road as shown on said Plan, or take any other action relating thereto.

Submitted by the Planning Board

**Explanation:** This article would relocate public rights to travel on a portion of a private way within the Willowbend development, known as Simon’s Road, from their current location to a new easement, in order to allow a modification to Willowbend’s development plan.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**At its meeting on April 17, 2013, the Planning Board voted 5-0 to recommend relocation of a portion of the public way known as Simons Road as shown on a plan of the relocation with a revision date of April 16, 2013.**

**Motion made by Selectman Carol Sherman.**

**Motion:** I move the Town vote to accept the proposed layout of a private way open to public travel known as Simons Road between Fin’ Me Oot Road to Sampson’s Mill Road as shown on a plan entitled “Plan of Land for Portion of Simons Road Roadway Discontinuance and Relocation Plan”, prepared by Baxter Nye Engineering, dated February 8, 2013, last revised April 16, 2013, scale 1’ = 50’, on file with the Town Clerk (the “Plan”) and approved by the Board of Selectmen in accordance with applicable provisions of M.G.L. Chapter 82; and further to abandon and discontinue any rights of the public in and to the former location of Simon’s Road as shown on said Plan.

**Motion passes unanimously at 8:11 PM.**

### **Article 20**

To see if the Town will vote to authorize the Board of Selectmen to grant an easement to NSTAR Electric Company in and over the real property located at 380 Asher's Path in Mashpee (Assessors' Map 61, Parcel 3) for the installation, maintenance and repair of overhead lines, utility poles, pedestals, pads, transformers, apparatus cabinets and all fixtures, supports, fittings and appurtenances related thereto for the distribution of electricity to the Solar Panels located at the Mashpee Transfer Station, , and/or for such other municipal purposes as the Board may deem appropriate, and, further, to authorize the Selectmen to enter into such agreements and execute such instruments as may be necessary for this purpose, or take any other action relating thereto.

Submitted by the Board of Selectmen

**Explanation:** This article would authorize the grant of an easement or other real property interests to NSTAR Electric Company for the purpose of connecting the Solar Panels to be installed at the Mashpee Transfer Station property to the grid and enabling the operation of said solar electricity generating facilities.

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 7-0.**

**Motion made by Selectman Wayne Taylor.**

**Motion:** I move the Town vote to authorize the Board of Selectmen to grant an easement to NSTAR Electric Company in and over the real property located at 380 Asher's Path in Mashpee (Assessors' Map 61, Parcel 3) for the installation, maintenance and repair of overhead lines, utility poles, pedestals, pads, transformers, apparatus cabinets and all fixtures, supports, fittings and appurtenances related thereto for the distribution of electricity to the Solar Panels located at the Mashpee Transfer Station, and/or for such other municipal purposes as the Board may deem appropriate, and, further, to authorize the Selectmen to enter into such agreements and execute such instruments as may be necessary for this purpose.

**Motion unanimously at 8:13 PM.**

**Article 21**

To see if the Town will vote, pursuant to the provisions of General Bylaw Article V, Section 3-21, that the following parcels of land acquired by the Town by tax foreclosure shall be held as conservation land for all purposes included in MGL.C.40 Chapter 8C as it now reads or may hereinafter be amended or take any other action relating thereto.

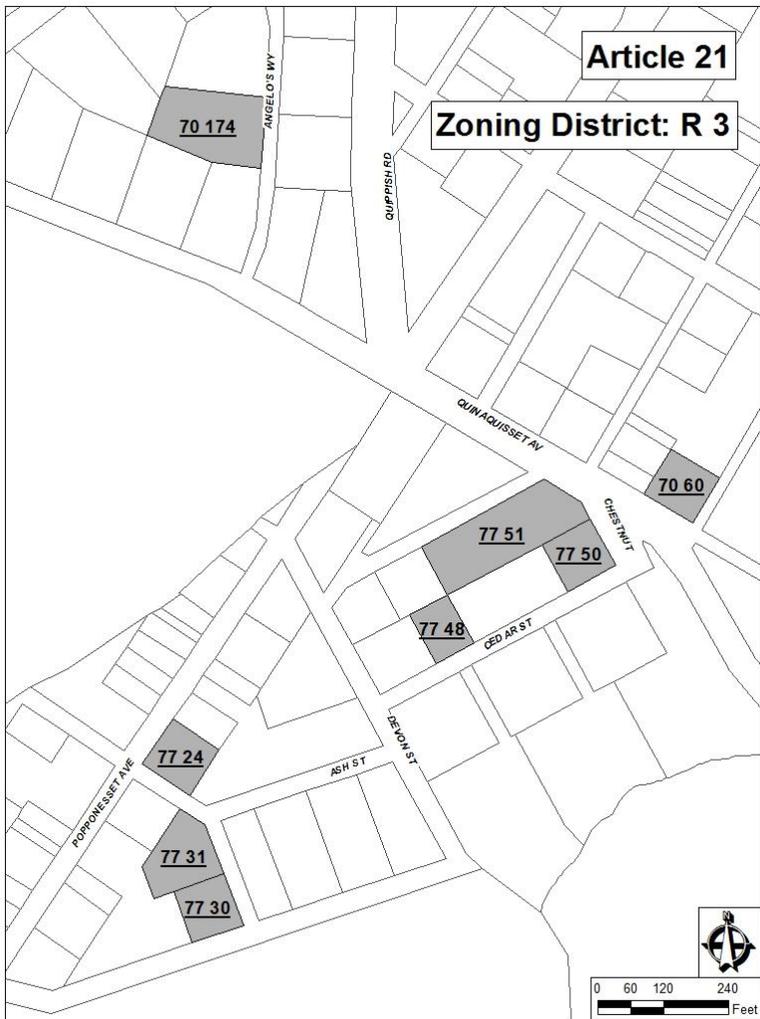
<b>Map</b>	<b>Block</b>	<b>Address</b>	<b>Acreage</b>	<b>Assessed Value</b>
77	48	10 Cedar Street	8,000 sf	\$206,000
77	50	24 Cedar Street	10,000 sf	\$208,100
77	51	5 Gina Way	30,000 sf	\$235,000
77	30	34 Falmouth Road	10,000 sf	\$52,000

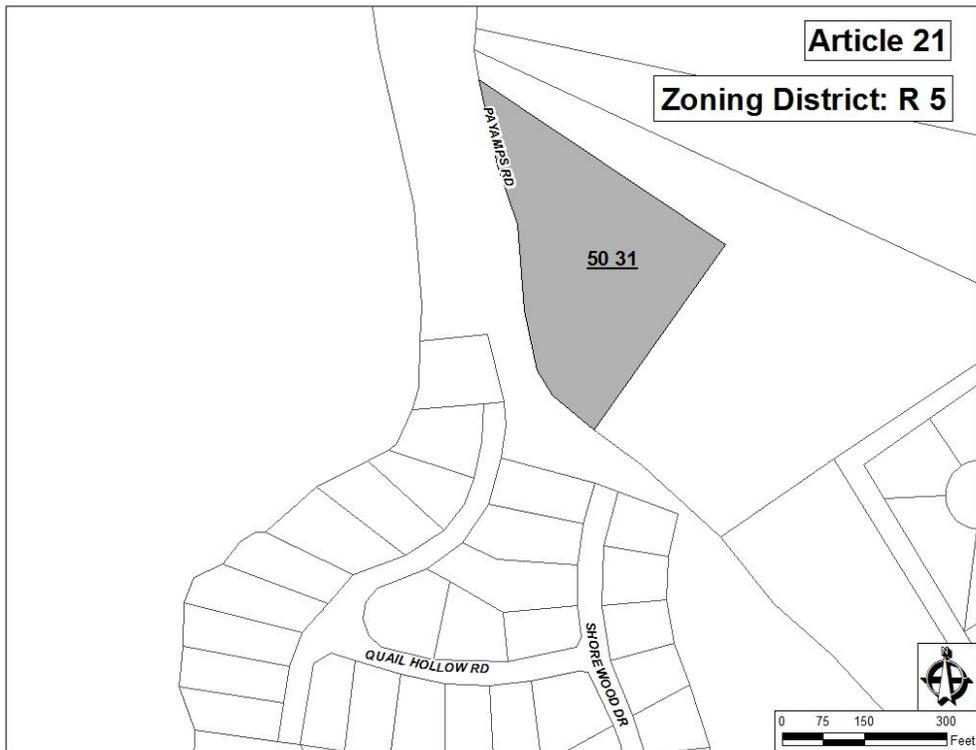
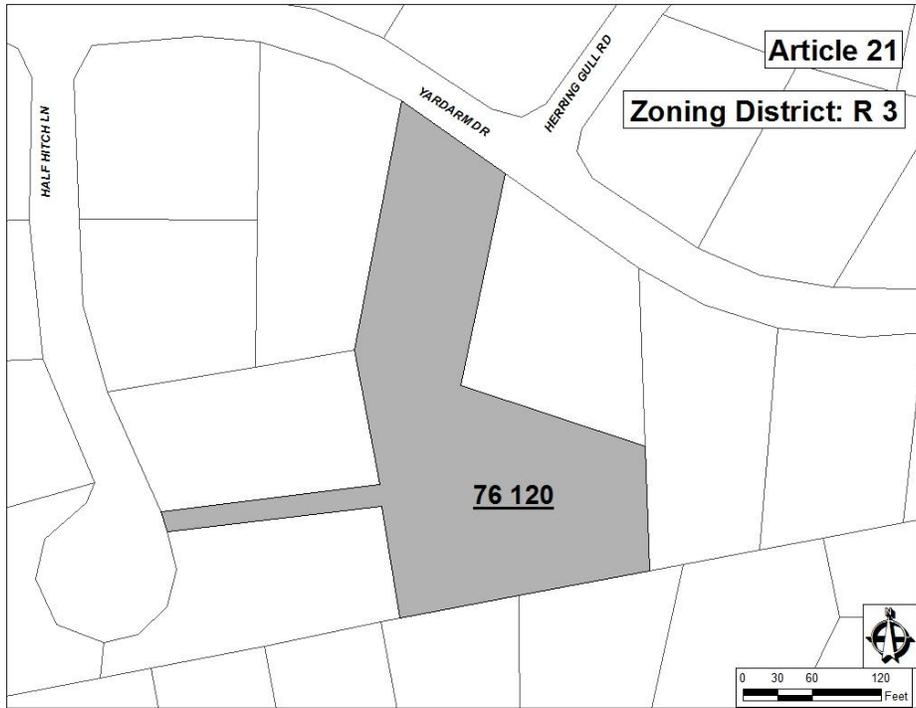
<b>Map</b>	<b>Block</b>	<b>Address</b>	<b>Acreage</b>	<b>Assessed Value</b>
77	31	23 Birch Street	12, 500 sf	\$52,800
77	24	110 Popponeset Avenue	10,000 sf	\$52,000
70	174	14 Angelo's Way	20,629 sf	\$9,000
70	60	41 Forest Street	10,000 sf	\$122,400
79	32	56 Bog River Road	21,512 sf	\$150,800
36	31	42 Meetinghouse Road	2 acres	\$161,200
44	2	147 Lovell's Lane	5.8 acres	\$260,800
76	120	29 Yardarm Drive	1.47 acres	\$146,900
103	8	136 Degrass Road	2.7 acres	\$184,200
50	31	135 Payamps Road	3 acres	\$39,600

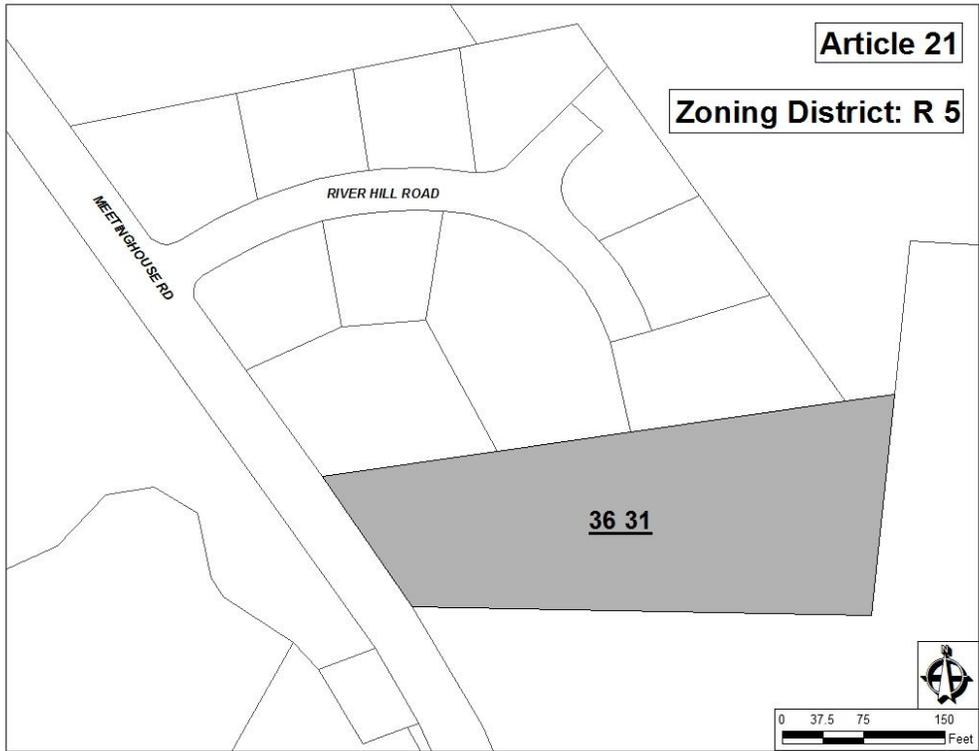
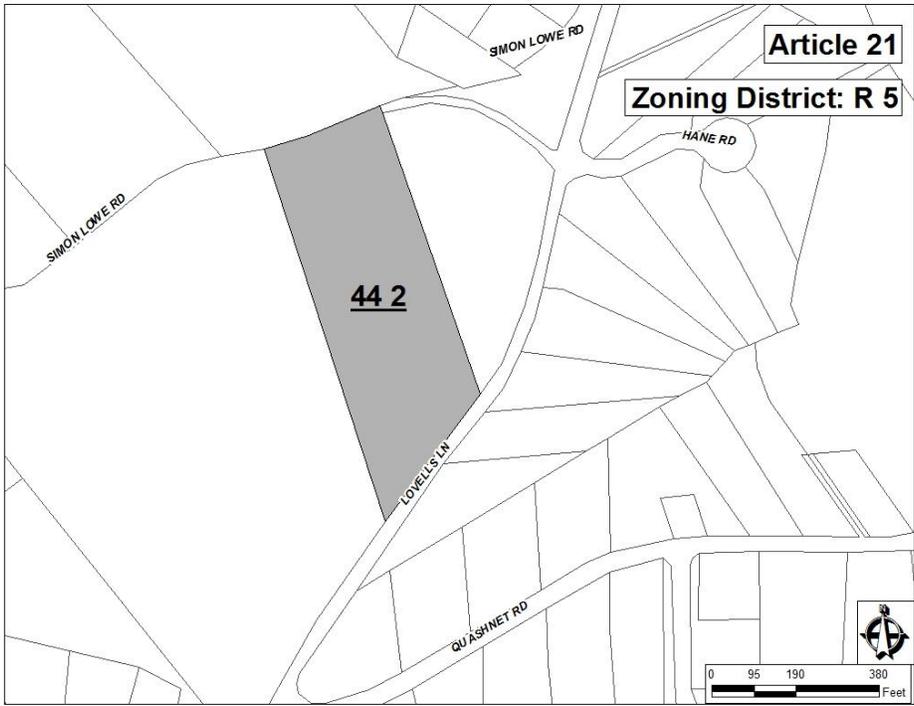
Submitted by Petition

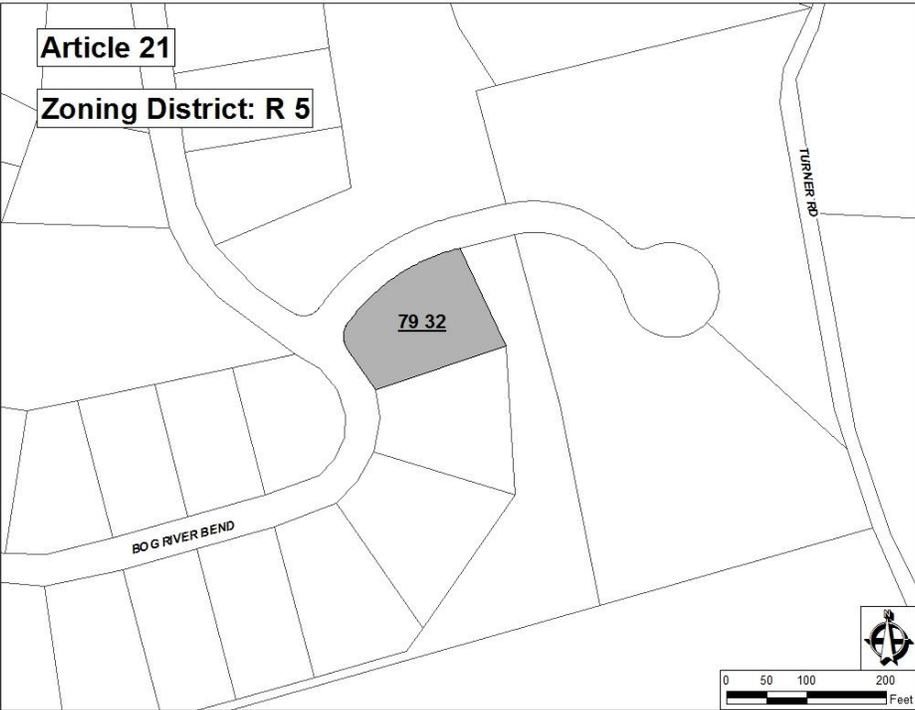
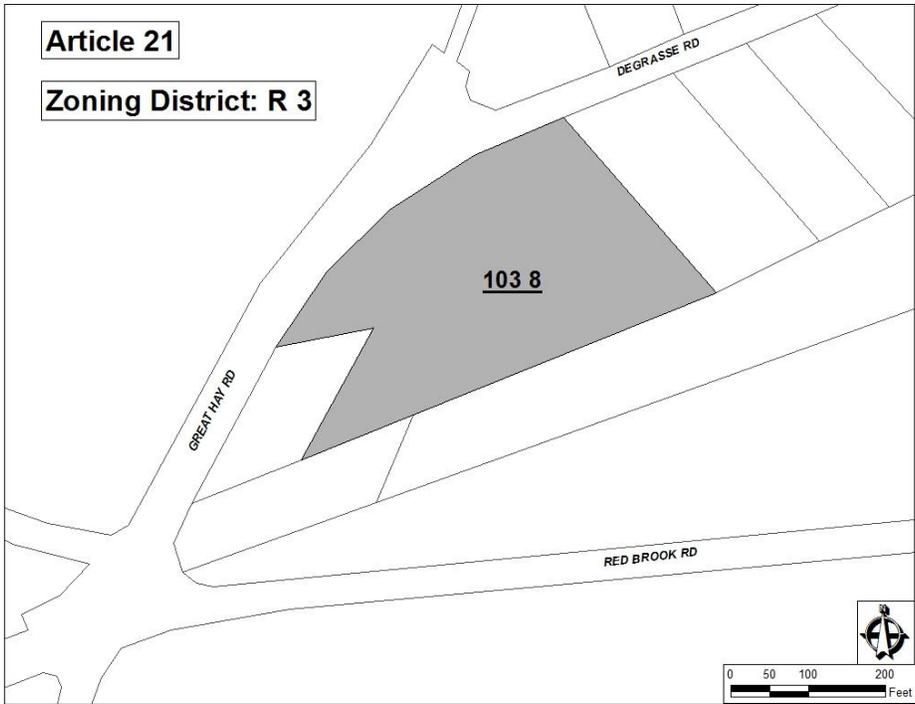
**Article 21**

**Zoning District: R 3**









**Explanation:** General Bylaw Article V, Section 3-21 reads as follows:

§3-21 Land Acquired by Town:

No land acquired by the Town through tax title proceedings shall be sold or otherwise disposed of until it shall have first been determined by a vote at a Town meeting whether or not said land shall be held by the Town as conservation land for all purposes included in MGL C. 40, §8C, as it now reads or may hereafter be amended, or shall be held by the Town for some other municipal purpose.

An affirmative vote on this article ensures that the above listed residential parcels acquired by the Town through tax foreclosure shall be held by the Town as conservation land for all purposes included in MGL C. 40 Chapter 8C as it now reads or may hereafter be amended.

**The Board of Selectmen voted 5-0 to take no position.**

**Finance Committee does not recommend approval by a vote of 5-0; 2 abstained.**

**Motion made by Beverly Kane.**

**Motion: I move article be voted as printed in the warrant**

<b>Map</b>	<b>Block</b>	<b>Address</b>	<b>Acreage</b>	<b>Assessed Value</b>
77	48	10 Cedar Street	8,000 sf	\$206,000
77	50	24 Cedar Street	10,000 sf	\$208,100
77	51	5 Gina Way	30,000 sf	\$235,000
77	30	34 Falmouth Road	10,000 sf	\$52,000
77	31	23 Birch Street	12, 500 sf	\$52,800
77	24	110 Popponeset Avenue	10,000 sf	\$52,000
70	174	14 Angelo's Way	20,629 sf	\$9,000
70	60	41 Forest Street	10,000 sf	\$122,400
79	32	56 Bog River Road	21,512 sf	\$150,800
36	31	42 Meetinghouse Road	2 acres	\$161,200
44	2	147 Lovell's Lane	5.8 acres	\$260,800
76	120	29 Yardarm Drive	1.47 acres	\$146,900
103	8	136 Degrass Road	2.7 acres	\$184,200
50	31	135 Payamps Road	3 acres	\$39,600

**Motion made to indefinitely postpone at 8:49 PM.**

**Motion to indefinitely postpone passes 90 for 79 against at 8:49 PM.**

## **Article 22**

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Jonas Drive, Valerie Circle, and Rachelle Court and to accomplish said purpose and for expenses related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation \$5,000 to the Jonas Drive Roadways Account, or take any other action relating thereto.

Submitted by Petition

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Rochelle Jonas**

**Motion:** I move the Town vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Jonas Drive, Valerie Circle, and Rachelle Court, and to accomplish said purpose and for expenses related thereto, the Town vote to appropriate and transfer from Revenue Available for Appropriation \$5,000 to the Jonas Drive Roadways Account.

**Motion passes unanimously at 8:50 PM.**

## **Article 23**

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Saddleback Road; and to accomplish said purpose and for expenses related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation \$5,000 to the Saddleback Roadways Account, or take any other action relating thereto.

Submitted by Petition

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Bob Stevens**

**Motion:** I move the Town vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Saddleback Road, and to accomplish said purpose and for expenses related thereto, the Town vote to appropriate and transfer from Revenue Available for Appropriation \$5,000 to the Saddleback Roadways Account.

**Motion passes unanimously at 8:51 PM.**

## **Article 24**

To see if the Town will vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Tri-town Circle and to accomplish said purpose and for expenses related thereto, the Town vote to raise and appropriate or transfer from available funds for appropriation \$5,000 to the Tri-town Circle Roadways Account, or take any other action relating thereto.

Submitted by Petition

**The Board of Selectmen recommends approval by a vote of 5-0.**

**Finance Committee recommends approval by a vote of 6-0; 1 abstention.**

**Motion made by Alexa Fox.**

**Motion:** I move the Town vote to authorize and empower the Board of Selectmen to prepare a plan laying out and defining Tri-Town Circle, and to accomplish said purpose and for expenses related thereto, the Town vote to appropriate and transfer from Revenue Available for Appropriation \$5,000 to the Tri-Town Circle Roadways Account.

**Motion passes unanimously at 8:52 PM.**

## **Article 25**

Whereas, Massachusetts Emergency Management Agency (MEMA) Director Kurt Schwartz has acknowledged that Cape residents and visitors are “in harm’s way” in the event of a radiological accident at the Pilgrim Nuclear Power Station in Plymouth;

Whereas, MEMA has determined that Cape residents and visitors will not be evacuated but plans to relocate Cape citizens after exposure to dangerous radioactive materials released in an accident;

Whereas, citizens of the Town of Mashpee find the State response to Pilgrim’s threat to our health and safety unacceptable and in violation of the public trust;

Therefore, be it resolved that we the people of Mashpee respectfully request Governor Deval Patrick to call upon the Nuclear Regulatory Commission to uphold their mandate to shut Entergy’s Pilgrim Nuclear Power Station in Plymouth because the public safety, particularly Cape and Islands residents and visitors, cannot be assured.

The petition will be sent to:  
President Barack Obama  
Governor Deval Patrick  
Executive Office of Public Safety  
Nuclear Regulatory Commission  
Federal Emergency Management Agency  
Massachusetts Emergency Management Agency  
Barnstable County Commissioners

Congressman Edward Markey  
Senator Therese Murray  
Senator Daniel Wolf  
Rep. Sarah Peake  
Rep. David Vieira  
Rep. Randy Hunt  
Rep. Cleon Turner  
Rep. Brian Mannal

Senator John Kerry  
Senator Elizabeth Warren

Rep. Timothy Madden  
Congressman William Keating

Or take any other action related thereto.

Submitted by Petition

**Explanation:** The petition will show support for the safety of Mashpee residents in the event of a major radiological accident from the Pilgrim Nuclear Power Plant in Plymouth, Ma. Cape Cod's unique geographic location will make it impossible for residents to evacuate. MEMA director Kurt Schwartz has stated the Cape Cod's two bridges will be closed to allow the people with in (sic) ten miles of the Nuclear Plant to escape. Exiting traffic off Cape Cod would interfere with their evacuation. Therefore, because the safety of Cape Cod residents and visitors including those people in Mashpee cannot be achieved we are asking to shut down the Plymouth Nuclear Power Station.

**The Board of Selectmen voted to take no position by a vote of 5-0.**

**Finance Committee voted to take no position by vote of 6-0; 1 abstention.**

**Motion made by Arlene Williamson.**

**Motion: Motion made to move the article as written.**

**Motion passes by hand count yes 89 no 70 at 9:09 PM**

**Move to reconsider article 21 defeated.**

**Town meeting adjourned at 9:09 PM**